

**House Conservation and Environment Committee Amendment #1**

**Amendment No. 1 to HB2077**

**Odom  
Signature of Sponsor**

**AMEND Senate Bill No. 2154**

**House Bill No. 2077\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-215-121(a)(1), is amended by adding the following language at the end of the subdivision after the language and punctuation "resulting therefrom.":

In deciding whether to assess a civil penalty and determining the amount of such assessment, the commissioner, board, or court may consider all of the circumstances surrounding the violation, including the past compliance history of the violator, the degree of risk posed to the environment by the violation, as well as the factors enumerated in subsection (c).

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.